

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

ORACLE AMERICA, INC.,

No. C 10-03561 WHA

Plaintiff,

v.

**ORDER STRIKING
UNAUTHORIZED
RULE 72 MOTION**

GOOGLE INC.,

Defendant.

Pursuant to the order regarding motion practice, no motions may be filed in this action without prior written approval, except for discovery disputes (Dkt. No. 86). On September 8, 2011, Google Inc. filed a motion pursuant to FRCP 72 for relief from an order of Magistrate Judge Ryu (Dkt. No. 408). Google neither sought nor received permission to file such a motion. As such, the filing is improper. The clerk shall **STRIKE** defendant's unauthorized Rule 72 motion. If defendant wishes to file a Rule 72 motion, then defendant should request permission to do so by way of the précis procedure. The date of Google's unauthorized filing will, however, be used when evaluating the timeliness of any Rule 72 objection raised therein.

IT IS SO ORDERED.

Dated: September 9, 2011.


WILLIAM ALSUP
UNITED STATES DISTRICT JUDGE